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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,967	06/04/2001	Weidong Kou	CA920000024US1	6661

7590 04/07/2005

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EXAMINER
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NALVEN, ANDREW L

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/873,967	KOU, WEIDONG	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andrew L Nalven	2134	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. Claims 1-8 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed 20 January 2005 have been fully considered but they are not persuasive.

3. Applicant has argued on page 5 that the Katz reference (US Patent No. 5,926,624) fails to teach a storage subsystem containing definitions of customer groups. Examiner respectfully disagrees. Examiner contends Katz does teach a storage subsystem containing definitions of customer groups (Katz, column 13 lines 11-24, group IDs, player IDs, tables). Katz teaches definitions of customer groups in the form of Group IDs that represent a group of mobile playback devices. The mobile playback devices are customers of the library server because they acquire goods/services from the library server in the form of digital information or software content (Katz, column 13 lines 12-58).

4. Applicant has further argued on page 5 that Katz fails to teach "information item definitions including which customer group or groups with which each information item is associated." Examiner respectfully disagrees. Examiner contends Katz does teach "information item definitions including which customer group or groups with which each information item is associated" (Katz, column 12 lines 39-43). Katz describes digital

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information being targeted towards a particular group (Katz, column 12 lines 39-43) and an information item definition associating a group with an information item (Katz, column 13 lines 49-58, header).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Katz et al US Patent No. 5,926,624. Katz teaches a digital information library and delivery system with logic for generating files targeted to the playback device.

6. With regards to claims 1, 5, and 7, Katz teaches a storage subsystem containing definitions of customer groups, customer user information, which group or groups to which each customer belongs (Katz, column 13 lines 11-24, group IDs, player IDs, tables), information item definitions including which customer group or groups with which each information item is associated (Katz, column 12 lines 39-43), a set of group source keys (Katz, column 13 line 65 – column 14 line 8, private group identifier/scrambling map), each group source key being associated with a different one of the customer groups (Katz, column 12 lines 56-66), a set of group member keys (Katz, column 12 lines 45-49, group ID public portion), each group member key being associated with a different one of said group source keys (Katz, column 12 lines 45-49,

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group ID has private and public portion), an encryption subsystem for encrypting information items associated with a group using the group source key associated with the same group (Katz, column 13 line 65 – column 14 line 8, encrypts with scrambling map), and an authentication subsystem for allowing a customer access to a group member key once the customer has been authenticated as a member of the group with which the group member key is associated (Katz, column 11 lines 27-31, changes to the ID list are similar to downloading updates, column 11 lines 32-38, column 11 lines 19-27) thereby enabling the customer to use the group member key to decrypt item information previous encrypted using the group source key (Katz, column 11 lines 45-48).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-4, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz et al US Patent No. 5,926,624 in view of Barnes et al US Patent No. 5,970,475. Barnes teaches an electronic procurement system.

9. With regards to claims 2, 6, and 8, Katz fails to teach an authentication storage subsystem for storing customer identifiers and associated passwords and authentication

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logic for receiving customer identifiers and password inputs, comparing the received inputs to stored customer identifiers and associated passwords, and authenticating the inputs provided when the inputs matched the stored corresponding information. Barnes teaches an authentication storage subsystem for storing customer identifiers and associated passwords (Barnes, column 14 lines 33-35) and authentication logic for receiving customer identifiers and password inputs, comparing the received inputs to stored customer identifiers and associated passwords, and authenticating the inputs provided when the inputs matched the stored corresponding information (Barnes, column 14 lines 19-22). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Barnes' method of password authentication with Katz's digital information library because it offers the advantage of increasing security by ensuring that no unauthorized user has access to catalogs or may make purchase orders (Barnes, column 3 lines 60-66).

10. With regards to claim 3, Katz as modified teaches the information items including pricing information (Barnes, column 19 lines 45-58, pricing information specified to buyer).

11. With regards to claim 4, Katz fails to teach the information items including pricing information. Barnes teaches the information items including pricing information (Barnes, column 19 lines 45-58, pricing information specified to buyer). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Barnes' method of including price information with Katz's digital information library because it offers the advantage of making available pricing information to a

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customer to thereby allow for the ordering of goods by the customer (Barnes' column 4 lines 5-26).

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

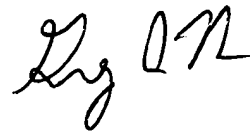
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L Nalven whose telephone number is 571 272 3839 or 571 272 3839 after October 26, 2004. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 571 272 3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven  
AN



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